

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CRAIG RYAN ESPIGH,	:	CIVIL NO: 1:19-CV-02221
	:	
Plaintiff,	:	
	:	
v.	:	(Magistrate Judge Schwab)
	:	
BOROUGH OF LEWISTOWN, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

January 29, 2021

For the reasons set forth in the Memorandum Opinion filed concurrently with this Order, **IT IS ORDERED** that Defendants' partial motion to dismiss (*doc.* 7) is **GRANTED**. Espigh's complaint is partially dismissed for failure to state a claim.

Espigh's complaint, in its entirety, is dismissed with prejudice as to Defendant Lewistown Police Department. Also, Counts II and III are dismissed without prejudice as to Defendant Borough of Lewistown, David K. Clemens, Chief of Police, Officer Bruce Mann, Officer Patrick Briggs, John Doe Officer 1, John Doe Officer 2, and John Doe Officer 3. And Count IV is dismissed without prejudice in its entirety.

Espigh is granted leave to file an amended complaint within 14 days of the date of this Order.

S/Susan E. Schwab

Susan E. Schwab

United States Magistrate Judge